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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/132,231

08/11/1998

MARSHALL S. HORWITZ

032425-001

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7590

11/15/2002

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EXAMINER

BRUSCA, JOHN S

ART UNIT	PAPER NUMBER
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1631

DATE MAILED: 11/15/2002

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Please find below and/or attached an Office communication concerning this application or proceeding.



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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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EXAMINER

ART UNIT	PAPER
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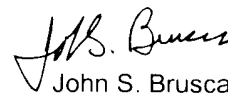
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Commissioner of Patents and Trademarks

The applicants are requested to provide a statement under 37 CFR 1.607 defining the proposed count for interference relative to the instant pending claims 29-48 resulting from the amendment filed 05 September 2002. The applicants are further requested to file a statement under 37 CFR 1.608(b). The proposed interference concerns applications that claim priority to Application No. 06/942630, which was filed under 35 U.S.C. § 371. For the purpose of consideration under 37 CFR 1.608 the effective filing date of the Kauffman priority application will be considered to be the international filing date rather than the 102(e) date of the application since the application is not being applied as a reference under 35 U.S.C. § 102(e) in this situation. Since the international filing date of the priority application of Kauffman is 17 June 1985, the instant application has an effective filing date 13 months later than the Kauffman application and 37 CFR 1.608(b) rather than 608(a) applies to the proposed interference.


John S. Brusca
Primary Examiner
Art Unit: 1631